MINUTE ITEM

This Calendar Item No. C07 was approved as Minute Item No. 2 by the State Lands Commission by a vote of 3 to 0 at its 9/25/84 meeting.

CALENDAR ITEM

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C07

09/25/84
WP 5355
Omand
PRC 5355

RESCISSION OF COMMISSION APPROVAL OF GENERAL PERMIT - RECREATIONAL USE PRC 5355.1 TO LAKESHORE HOLDING COMPANY, LTD., AND ISSUANCE OF RECREATIONAL PIER PERMIT TO JOSEPH AND SANDRA KARP

APPLICANT: Joseph and Sandra Karp
P.O. Box 271
Burlingame, California 94011

AREA, TYPE LAND AND LOCATION:
A .011-acre parcel and a 0.029-acre circular parcel of submerged land in Lake Tahoe, Placer County.

LAND USE: Reconstruction and maintenance of an existing pier and maintenance of an existing buoy for private recreational boating.

BACKGROUND:

On June 21, 1984, Minute Item 7, the State Lands Commission authorized the issuance of a General Permit - Recreational use to Lakeshore Holding Company, Ltd. for the maintenance of an existing pier in Lake Tahoe, Placer County. Before the permit was signed on behalf of the Commission, the upland property reverted to the former owner by foreclosure procedure. This foreclosure document and other pertinent documents relating to the disposition of the upland property are on file in the office of the State Lands Commission and by reference made a part hereof. The upland property has now been sold to Joseph and Sandra Karp. Mr. and

Mrs. Karp have made application to the Commission for a Recreational Pier Permit, together with the required fees. This permit will involve the reconstruction of the existing pier. The Karps qualify for a rent-free permit pursuant to Section 6503.5 of the Public Resources Code.

TERMS OF PROPOSED PERMIT:

Initial period: Ten (10) years from June 21, 1984.

CONSIDERATION: None. Rent-free pursuant to Section 6503.5 of the Public Resources Code.

STATUTORY AND OTHER REFERENCES:

A. P.R.C. Div. 6, Parts 1 and 2; Div. 13.
B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884: 02/02/85.

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorical exempt project. This project is exempt under Class 2 (replacement or reconstruction), 2 Cal. Adm. Code 2905/(b) and Class 1 (existing facilities), 2 Cal. Adm. 2905 (a) (2).

   Authority: P.R.C. 21084, 14 Cal. Adm. Code 15300, Code 2905.

2. This activity involves land identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based upon the staff's consultation with the persons nominating such land and through the CEQA review process, it is the staff's opinion that the project as proposed is consistent with the land use classification.

CALENDAR PAGE 33
MINUTE PAGE 2085

3. The Commission at its meeting on November 27, 1978, suspended all leasing for new construction at Lake Tahoe, except for mooring buoys in designated areas. This action was taken pending completion of an EIR which addresses the cumulative impact of continued construction of piers in lake Tahoe. This application is for the continued use and reconstruction of an existing pier and maintenance of an existing buoy in the lake, and therefore is not subject to the Commission's suspension of leasing activities for new construction.

4. This permit covering a structure in Lake Tahoe will include a condition subsequent that if any structure authorized is found to be in nonconformance with the Tahoe Regional Planning Agency's Shorezone ordinance and if any alterations, repairs, or removal required pursuant to said ordinance are not accomplished within the designated time period, then the permit will be automatically terminated, effective upon notice by the State and the site shall be cleared pursuant to the terms thereof.

APPROVALS OBTAINED: Letter of Conditional Approval from TRPA.
Nationwide Permit from corps of Engineers.

EXHIBITS: A. Land Description.
B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. RESCIND THE APPROVAL OF GENERAL PERMIT - RECREATIONAL USE PRC 5355.1, COMMISSION ACTION OF JUNE 21, 1984, MINUTE ITEM NO. 7.

2. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 AS A CATEGORICAL EXEMPT PROJECT, CLASS 2, REPLACEMENT OR RECONSTRUCTION, 2 CAL. ADM. CODE 2905(b) AND CLASS 1, EXISTING FACILITIES, 2 CAL. ADM. CODE 2905(a)(2).

3. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.

4. AUTHORIZE ISSUANCE TO JOSEPH AND SANDRA KARP OF A TEN-YEAR RECREATIONAL PIER PERMIT FROM JUNE 21, 1984, FOR RECONSTRUCTION AND MAINTENANCE OF AN EXISTING PIER AND MAINTENANCE OF AN EXISTING MOORING BUOY ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

WP 5355

Two parcels of submerged land in the bed of Lake Tahoe, Placer County, California, said parcels being described as follows:

PARCEL 1 - Pier

All that land lying immediately beneath a pier TOGETHER WITH a necessary use area extending 10 feet from the extremities of said pier, said pier being adjacent to that land described in the Grant Deed recorded June 21, 1984, in Volume 2706, page 390, Official Records of Placer County.

EXCEPTING THEREFROM any portion lying landward of the ordinary low water mark of Lake Tahoe.

PARCEL 2 - Buoy

A circular parcel of submerged land 40 feet in diameter, adjacent to and waterward of the above described Parcel 1.

END OF DESCRIPTION

REVISED AUGUST 28, 1984 BY BOUNDARY AND TITLE UNIT.

CALENDAR PAGE 36
MINUTE PAGE 2088

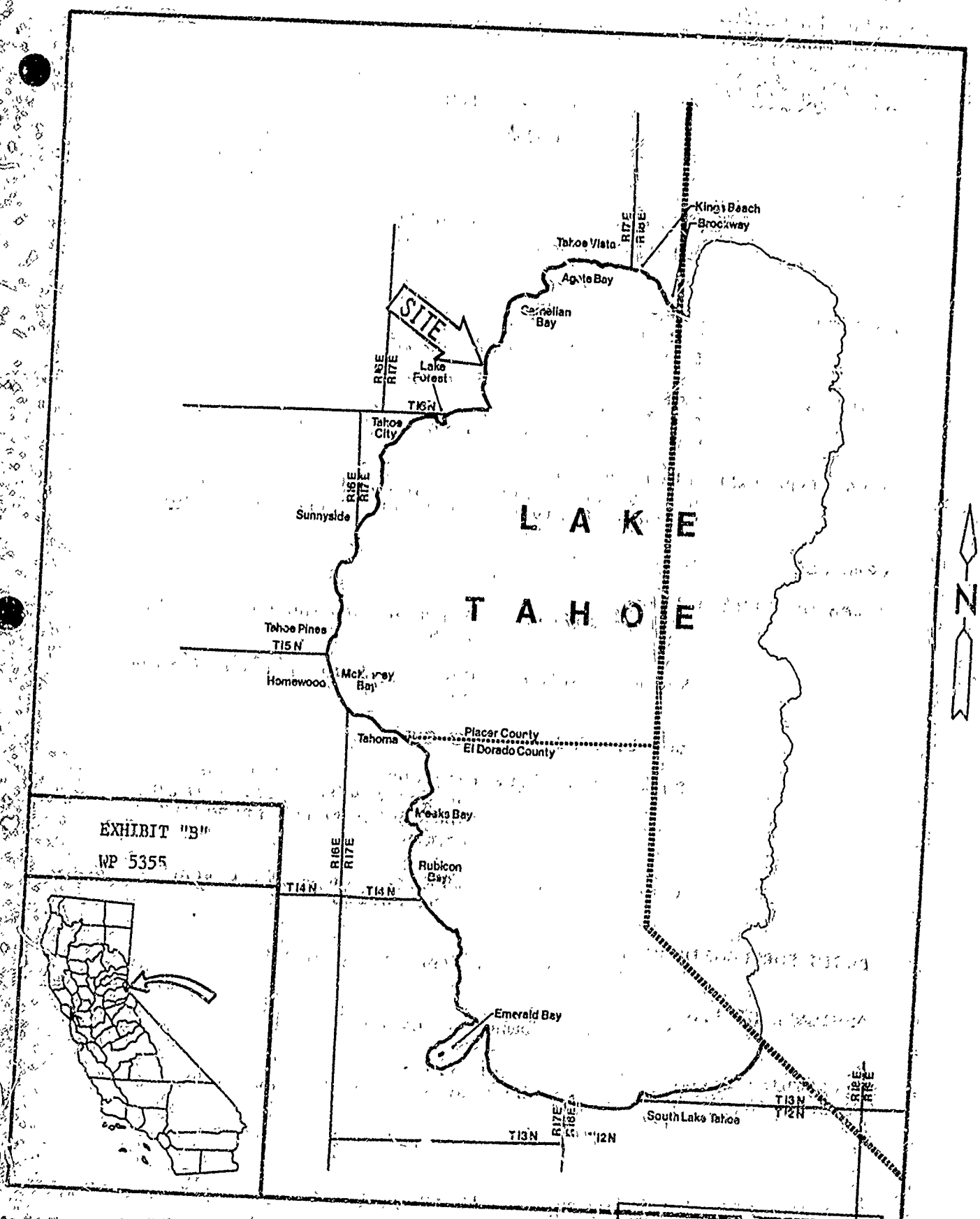

EXHIBIT "B"
WP 5355

CALENDAR PAGE 37
MINUTE PAGE 2089